

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Michele K. Jaspan, Esq
CHUHAK & TECSON, P.C.
Attorneys for Popular Bank
999 Riverview Drive, Suite 201
Totowa, New Jersey 07512-1165

In Re:

GRACE WILSON,

Debtor.

Case No.: 18-20545 (SLM)

Chapter: 13

Judge: Stacey L. Meisel

**CREDITOR'S
CERTIFICATION OF DEFAULT**

RAFAEL E. RIVERA DAVILA certifies as follows:

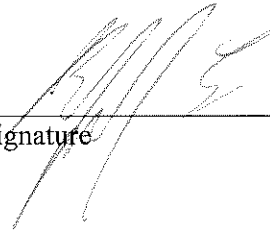
1. I am a MORTGAGE TECHNICIAN for Popular Bank, a secured creditor of the debtor.
2. On May 17, 2019, an Order was entered, a copy of which is attached as an exhibit, providing for the cure of post petition arrearages, and in default of such monthly payments for a 30 day period, allowing the secured creditor ex parte relief to vacate the stay, with notice to the trustee, debtor and his attorney, if any.
3. Debtor has failed to comply with the order:
☒ By missing payments and/or by failing to make the correct payments as summarized on the attached Certification of Creditor Regarding Post Petition Payment History.
☐ Other _____.

4. This certification is being made in an effort to enforce the prior order of this court and to vacate the stay.
5. I certify under penalty of perjury that the above is true.

Date:

3/27/23

Signature

A handwritten signature in black ink, appearing to be "B. J. E.", written over a horizontal line.



Order Filed on May 17, 2019 by
Clerk, U.S. Bankruptcy Court -
District of New Jersey

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In Re:
GRACE WILSON,
Debtor.

Case No.: 18-20545
Judge: Stacey L. Meisel
Hearing Date(s): April 24, 2019
Chapter: 13

Recommended Local Form

☒ Followed

☐ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: May 17, 2019

Honorable Stacey L. Meisel
United States Bankruptcy Judge

Applicant: Popular Bank
Applicant's Counsel: Chuhak & Tecson, P.C.
Debtor's Counsel: Goldman & Beslow, LLC
Property Involved ("Collateral"): 27 Unity Avenue, Newark, New Jersey 07106
Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

The Parties having consensually resolved the Motion and for

~~For~~ good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 9 months, from August to April.

☒ The Debtor is overdue for 9 payments at \$ 1,450.31 per month.

☒ The Debtor is assessed for 9 late charges at \$ 72.51 per month.

☐ Applicant acknowledges receipt of funds in the amount of \$ _____ received after the motion was filed.

Total Arrearages Due \$ 13,705.43.

2. Debtor must cure all post-petition arrearages, as follows:

☒ Immediate payment shall be made in the amount of \$ 13,705.43. Payment shall be made no later than April 30, 2019.

☒ Beginning on May 1, 2019, regular monthly mortgage payments shall continue to be made in the amount of \$ 1,450.31.

☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$ _____ for _____ months.

☐ The amount of \$ _____ shall be capitalized in the debtor's Chapter 13 plan. The debtor's monthly payment to the Chapter 13 Trustee is modified to be \$ _____ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☒ Immediate payment: Chuhak & Tecson, P.C.
Attention: Paulina Garga-Chmiel, Esq.
30 South Wacker Drive, Suite 2600
Chicago, Illinois 60606

☒ Regular monthly payment: Popular Bank
P.O. Box 4960
Miami Lakes, Florida 33014

☐ Monthly cure payment: _____

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorneys fees of \$ 500, and costs of \$ 181.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within 7 days.

☐ Attorneys' fees are not awarded.

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In Re:

GRACE WILSON,

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Case No.: 18-20545 (SLM)

Chapter: 13

Hearing Date:

Judge: Hon. Stacey L. Meisel

CERTIFICATION OF CREDITOR REGARDING POST PETITION PAYMENT HISTORY
(NOTE AND MORTGAGE DATED December 6, 2007)

RAFAEL RIVERA DAVILA, employed as MORTGAGE TECHNICIAN by
Popular Bank, hereby certifies the following:

Recorded on January 7, 2008, in Essex County, in Book 12110 at Page 2473

Property Address: 27 Unity Avenue, Newark, NJ 07106

Mortgage Holder: Popular Bank

Mortgagor(s)/ Debtor(s): Grace Wilson

POST-PETITION PAYMENTS (Petition filed on May 25, 2018)

Amount Due	Date Payment Was Due	How Payment Was Applied (Mo./Yr.)	Amount Received	Date Payment Received	Check or Money Order Number
1. \$ 1,450.31	3/1/2023		\$ 0.00		
2. \$ 1,450.31	2/1/2023		\$ 0.00		
3. \$ 1,450.31	1/1/2023		\$ 0.00		

[Continue on attached sheets if necessary.]

(Monthly payment + late charge) = \$ 66,714.26 as of 3/28/2023

Principal	\$ 1,450.31
Interest	\$
R.E. Taxes:	\$
Insurance:	\$
Late Charge:	\$
Other:	\$
TOTAL	\$ 1,450.31

(Specify: _____)

I certify under penalty of perjury that the above is true.

Signature _____

2